



MAYOR AND COUNCIL REGULAR MEETING NOTICE & AGENDA

Robert E. Walkup
Mayor

Shirley C. Scott
Vice Mayor

Council Members

José J. Ibarra
Ward 1

Carol W. West
Ward 2

Kathleen Dunbar
Ward 3

Shirley C. Scott
Ward 4

Steve Leal
Ward 5

Fred Ronstadt
Ward 6

WELCOME!

The City of Tucson has a council-manager form of government. Policies are set by the Mayor and Council, who are elected by the people. Policies are carried out by the City Manager, who is appointed by the Mayor and Council. The Mayor and Council decides what is to be done; the City Manager, operating through the entire city staff, does it.

REGULAR COUNCIL MEETINGS

The Mayor and Council usually meet
at 2:00 p.m. on the first and third Mondays of the month, and
at 7:30 p.m. on the second and fourth Mondays of the month.

Copies of the agenda are available during the meeting. Additionally, the agenda as well as reference documents and proposed ordinances and resolutions are available in the City Clerk's office prior to each meeting.

To better serve everyone in the community, the chambers is wheelchair accessible, an assistive listening system for the hearing impaired is in place and closed captioning is available on cable television. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office by parties at least two (2) working days in advance of the scheduled meeting and can be made by calling 791-4213 or 791-2639 (TDD).

Ordinances and resolutions, the laws of Tucson, are considered during regular meetings. Those adopted with the emergency clause and the affirmative vote of five members of the Council, take effect immediately. Those adopted without the emergency clause take effect thirty days after passage. Unless the Mayor or a member of the Council requests that an ordinance or resolution be read in full, it is read by number and title only. Routine items are scheduled under the heading of Consent Agenda, which allows a number of actions to occur with a single motion.

PARTICIPATION BY THE PUBLIC

Persons attending the meeting shall observe rules of propriety, decorum, and good conduct, and refrain from impertinent or slanderous remarks. Violation of this rule shall result in such persons being barred from further audience before the governing body. A copy of the complete rules and regulations may be obtained from the City Clerk. Please turn off or put in vibrate mode all communication devices (pagers/cell phones).

The Mayor and Council often schedule public hearings on topics of interest. Pursuant to Mayor and Council Rules and Regulations, public hearings last one hour. Interested persons are invited to attend and offer comments. Additionally, Call to the Audience is reserved for comments from the public.

To address the Mayor and Council:

- Complete a speakers card and deposit it in the tray on the podium. Upon being recognized, state your name and address before proceeding into your subject matter. Speakers are limited to five-minute presentations.
- Submit written comments to the Mayor and Council (via the City Clerk) prior to and during the meeting.
- Call the Mayor and Council Citizen Comment Line at 791-4700. Your comments will be transcribed and distributed to the Mayor and Council.

Revisions to the agenda can occur up to 24 hours prior to the meeting. Contact the City Clerk at 791-4213 (TT: 791-2639, FAX: 791-4017 or WEB SITE: <http://www.ci.tucson.az.us/clerks>), 9th floor, City Hall, 255 W. Alameda for up-to-date information Monday thru Friday, 8 a.m. to 5 p.m. [holidays excepted]. Live coverage of meeting is cablecast on Tucson 12 and on Comcast Channel 59 (Mondays only). In addition, replays of the meetings are cablecast on Tucson 12 as follows:

Tuesdays	9:00 p.m.
Wednesdays	9:00 a.m.
Sundays	9:00 a.m.

(VHS) tapes of meetings are available at the Tucson Main Library.



MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

**TUESDAY, SEPTEMBER 2, 2003 – 2:00 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – E. Allen Stanley Jr., Senior Pastor of Morning Star Missionary Baptist Church

PLEDGE OF ALLEGIANCE – Mayor and Council and public in attendance

PRESENTATION

- (a) Presentation by Vice-Mayor Scott to recognize sponsors of the Ward 4 Back to School Bash

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager SEPT2-03-456 CITY-WIDE

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager SEPT2-03-457 CITY-WIDE

5. CALL TO THE AUDIENCE:

At this time, any member of the public is allowed to address the Mayor and City Council on any issue *not listed on today's agenda*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

6. CONSENT AGENDA – ITEMS A THROUGH I

FOR COMPLETE DESCRIPTION OF ITEMS
SEE ATTACHED CONSENT AGENDA

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent agenda and will be considered separately.

7. LIQUOR LICENSE APPLICATIONS

(a) Report from City Manager SEPT02-03-468 CITY-WIDE

(b) LIQUOR LICENSE APPLICATION(S)

New License(s)

NOTE: There are no applications for licenses scheduled for this meeting.

(c) Special Event(s)

NOTE: There are no applications for Special Events scheduled for this meeting.

8. ZONING: (C9-02-31) US HOME – BENSON HIGHWAY, I-1 TO R-1 (Continued from the meeting of June 30, 2003)

(a) Report from City Manager SEPT2-03-459 W5

(b) Report from Zoning Examiner dated April 25, 2003

(c) Request to rezone approximately 56 acres from I-1 (Light Industrial) to R-1 (Low Density Residential) zoning. Applicant: Dick Walbert of the Planning Center, on behalf of the property owner, David Cada of US Home.

The rezoning site is located on the north side of Julian Wash approximately 300 feet north of Benson Highway and 300 feet east of Campbell Avenue. The preliminary development plan proposes 282, one and two-story single-family residences on 56 acres as part of a larger development consisting of 590 units on a total of 116 acres. The additional 60 acres are already zoned R-1.

The Zoning Examiner recommends approval of R-1 zoning. The City Manager recommends approval of R-1 zoning subject to the following conditions:

1. A subdivision plat in substantial compliance with the preliminary development plan dated November 14, 2002, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 4.1.1. of the *Land Use Code*.
2. The owner/developer shall dedicate sufficient land to create a fifty (50) foot wide public trail corridor on the northern bank of Julian Wash along the entire length of the project from its eastern edge to the northwest corner of the parcel.
3. The owner/developer shall install landscaping, irrigation and a trail constructed to the City/County Divided Urban Pathway standard within the Julian Wash trail corridor. This standard includes a twelve (12) foot wide path, and eight (8) foot wide meandering natural surface path. All landscaping within the Julian Wash trail corridor shall be native plant species. In lieu of the above, the owner/developer may provide a contribution in the amount of \$44 per linear foot of frontage along the Julian Wash to the Tucson Parks and Recreation Department for use towards completion of the improvements.
4. Where perimeter walls are provided along lot lines that abut the Julian Wash Trail, either "a" or "b" shall apply:
 - a. Adjacent to one-story homes, the wall treatment shall consist of a minimum three (3) foot block wall with wrought iron on top. Adjacent to two-story homes, the wall treatment shall consist of a solid block wall or a minimum three (3) foot block wall with wrought iron on top.
 - b. An alternative design acceptable to the Development Services Department.
5. The neighborhood park located within the interior of the project shall be connected to the Julian Wash trail corridor by a landscaped eight (8) foot wide meandering, asphalt or similar hard surface path along the drainageway.
6. Integrated pedestrian connections shall be provided between recreation facilities, usable open space areas, and pedestrian facilities along the street.

7. Along lot frontages, a minimum fifteen (15) foot wide landscape/pedestrian area shall be provided on both sides of the street, measured from the back of curb. On each side of the street, the landscape/pedestrian area shall include, but is not limited to, one (1) canopy tree per two (2) lots.
8. “Safe by Design” concepts shall be incorporated in the development plan for review.
9. All walls visible from a public right-of-way are to be graffiti-resistant and incorporate one or more visually appealing design treatments. These treatments may include the use of two or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments (jog, curve, notch, setback, etc.); and/or, trees and shrubbery in voids created by wall variations.
10. Right turn/deceleration lanes shall be installed on abutting streets at access points to the development.
11. A 100-year storm capacity reinforced concrete structure, including bridges, as approved by the City Engineer, shall be installed at all drainage crossings.
12. Any existing curb cuts that will not be used for vehicular access shall be closed.
13. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
14. No structure, off-street parking, vehicular circulation, off-street loading, or maneuvering space, landscaping, or screening improvements required by the *Land Use Code*, may be constructed, erected, placed, or extended in the future right-of-way unless specifically allowed.
15. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.

16. Five years are allowed from the date of initial authorization to comply with all Code requirements and conditions of rezoning.

Two (2) written approvals and zero written protests have been received.

A simple majority vote will be necessary to adopt an ordinance rezoning the subject property once the conditions of rezoning are met.

9. ZONING: (C9-84-25) KIVEL - KOLB ROAD, O-3 AND C-1 ZONING, CHANGE OF CONDITIONS AND ORDINANCE ADOPTION (Note: the Public Hearing was held on August 4, the Ordinance Adoption was continued to September 2.)

- (a) Report from City Manager SEPT2-03-463 W2

The City Manager recommends approval of the requested change of condition and preliminary development plan subject to the revised conditions provided in the proposed ordinance.

- (b) Ordinance No. 9880 relating to zoning: amending Ordinance 7213; change of certain rezoning conditions for the area located on the southwest side of Kolb Road, north and south of Calle La Paz in Case C9-84-25, Kivel – Kolb Road, O-3 and C-1; and declaring an emergency.

10. FINANCIAL PARTICIPATION AGREEMENTS: WITH THE SOUTHERN ARIZONA TECH COUNCIL AND THE SOUTHERN ARIZONA INSTITUTE OF ADVANCED TECHNOLOGY FOR FISCAL YEAR 2004

- (a) Report from City Manager SEPT2-03-464 CITY-WIDE

The City Manager recommends that the Mayor and Council approve the resolution.

- (b) Resolution No. 19667 relating to outside agency activities; authorizing and approving the financial participation agreements between the City of Tucson and various outside organizations for Fiscal Year 2004; and declaring an emergency.

11. ZONING: (C9-91-19) LEWIS – TANQUE VERDE ROAD, C-2 ZONING, CHANGE OF CONDITIONS AND ORDINANCE ADOPTION (Note: the Public Hearing was held on August 4, the Ordinance Adoption was continued to September 2. This item relates to the residential portion of the property. The commercial portion will be considered at the September 8 meeting.)

- (a) Report from City Manager SEPT2-03-465 W2

The City Manager recommends approval of the requested change of conditions and preliminary development plan subject to the revised conditions provided in the proposed ordinance.

- (b) Ordinance No. 9883 relating to zoning: amending zoning conditions established by Ordinance 7734 and 7782 in the area located at the southwest corner of Desert Arbors Drive and Desert Links Drive in Case C9-91-19, Lewis – Tanque Verde Road, C-2 zoning; and declaring an emergency.

12. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager SEPT2-03-458 CITY-WIDE

13. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on *any issue*. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

14. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, September 8, 2003, at 7:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.